



House of Representatives

General Assembly

File No. 129

January Session, 2007

Substitute House Bill No. 5931

House of Representatives, March 26, 2007

The Committee on Energy and Technology reported through REP. FONTANA, S. of the 87th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ROAD REPAIRS BY UTILITY COMPANIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) In addition to the
2 requirements of sections 16-229 to 16-231, inclusive, of the general
3 statutes:

4 (1) Any permit for local road repair work performed pursuant to a
5 request from an electric, electric distribution, gas, telephone or water
6 company, electric supplier, or municipal utility furnishing electric, gas
7 or water service, as defined in section 16-1 of the general statutes,
8 granted by a municipality shall disclose the name and contact
9 information of said company, supplier or municipal utility for which
10 the road repair work is being performed.

11 (2) The Department of Public Utility Control, in consultation with
12 the Department of Transportation, shall conduct a contested case
13 proceeding to determine (A) the maximum amount of time allowable

14 between temporary and permanent local road repair work performed
 15 on behalf of an electric, electric distribution, gas, telephone or water
 16 company, electric supplier, or municipal utility furnishing electric, gas
 17 or water service, and (B) a third-party appeals process for disputes
 18 regarding the completeness of the local road repair work in question.

19 (3) A municipality shall inspect all road repair work performed on
 20 behalf of an electric, electric distribution, gas, telephone or water
 21 company, electric supplier, or municipal utility furnishing electric, gas
 22 or water service within one year of any permanent road repair work.
 23 Such work shall be deemed to be sufficient unless the municipality
 24 deems it to be deficient. If the municipality deems the work to be
 25 deficient, it shall direct the entity performing the road work to repair
 26 it.

27 (4) A municipality shall require a bond for road repair work
 28 performed on behalf of an electric, electric distribution, gas, telephone
 29 or water company, electric supplier, or municipal utility furnishing
 30 electric, gas or water service. The municipality may not release said
 31 bond until it determines that the road repair work is not deficient.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section

ET *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Department of Transportation	TF - Cost	200,000	212,000

Note: TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
All Municipalities	STATE MANDATE - See Below	See Below	See Below

Explanation

The bill is estimated to cost the Department of Transportation \$200,000 in FY 08 and \$212,000 in FY 09 for four part time positions (two Managers and two Project Engineers) for researching, preparation of expert testimony and cross examination of contested case hearings.

This bill is not anticipated to result in any fiscal impact to the Department of Public Utility Control.

Municipalities will be able to accommodate any additional administrative functions resulting from passage of the bill within their anticipated budgetary resources.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5931*****AN ACT CONCERNING ROAD REPAIRS BY UTILITY COMPANIES.*****SUMMARY:**

The bill requires any permit for local road work performed at the request of a private or municipal electric, gas, and water utility or a telephone company to disclose the name and contact information of the utility for whom the work is being done.

The bill requires the departments of Public Utility Control and Transportation to conduct a contested case to determine (1) the maximum amount of time to be allowed between temporary and permanent local road work performed for a utility and (2) a third-party appeals process for disputes regarding the completeness of this work.

The bill requires municipalities to (1) require a bond for repair work performed on behalf of a utility and (2) inspect the work within one year of any permanent road repairs. The work is considered to be sufficient unless the municipality deems it to be deficient. If the municipality deems the work to be deficient, it must direct the entity that did the work to repair it. The municipality cannot release the bond until it determines that repair work is not deficient.

EFFECTIVE DATE: October 1, 2007

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 19 Nay 2 (03/08/2007)